

Remarks

The Office Action mailed August 10, 2005 has been carefully reviewed and the foregoing amendment and following remarks have been made in consequence thereof.

Claims 1, 3-17, and 19-28 are now pending in this application. Claims 2 and 18 have been canceled. Claims 1, 4, 7, 9, 10, 12, 13, 15, 19, 21, 23, and 24 stand rejected. Claims 2, 3, 5, 6, 8, 11, 14, 16-18, 20, 22, and 25 are objected to. Claims 26-28 are allowed.

The objections to the drawings under 37 C.F.R. 1.83 (a), is respectfully traversed. Specifically, under 37 C.F.R. 1.83 (a), features disclosed in the description and claims need not be shown in the drawings where their detailed illustration is not essential for a proper understanding of the invention. More specifically, the Federal Circuit has opined in *Verve LLC v. Crane Cams, Inc.*, 65 USPQ 2d 1051, 1053-1054 (Fed. Cir. 2002), that “[p]atent documents are written for persons familiar with the relevant field; the patentee is not required to include in the specification information readily understood by practitioners, lest every patent be written as a comprehensive tutorial and treatise for the generalist, instead of a concise statement for persons in the field.” In the present case, Applicants respectfully submit that an artisan of ordinary skill in the art, after reading the specification in light of the Figures, would understand how the inclusion of a diaphragm as recited within Claim 26. Specifically, the functionality and operation of the diaphragm is clearly described in the specification in such a manner that one of ordinary skill in the art should understand its operation. Accordingly, Applicants respectfully submit that the recitations of Claim 26 are supported by the specification, and would be understood by one of ordinary skill in the art. For the reasons set forth above, Applicants respectfully request the objection to the drawings under 37 C.F.R. 1.83 (a) be withdrawn.

The objections to the drawings under 37 C.F.R. 1.83 (a), is respectfully traversed.

Specifically, Figures 1, and 2 have been amended to remove references numbers 82, 86, and 214.

No new matter has been added. Replacement sheets for Figures 1 and 2 are attached.

The Figures have not amended to remove reference numbers 224 or 710. Rather, the specification has been amended at paragraph [0041] to include reference number 710. With respect to reference 224, paragraph 0037 of the specification recites:

In one embodiment, FFT 218 includes a processor 222 including a device 224, for example, a floppy disk drive, CD-ROM drive, DVD drive, magnetic optical disk (MOD) device, or any other digital device including a network connecting device such as an Ethernet device for reading instructions and/or data from a computer-readable medium (not shown), such as a floppy disk, a CD-ROM, a DVD or another digital source such as a network or the Internet, as well as yet to be developed digital means.

As such, Applicants did not revise the figures or the specification. Accordingly, for at least the reasons set forth above, Applicants respectfully request the objection to the drawings under 37 C.F.R. 1.83 (a) be withdrawn.

The rejection of Claims 1, 4, 7, 9, 10, 12, 13, 15, 19, 21, 23, and 24 under 35 U.S.C. § 102(e) as being anticipated by Shu et al. (U.S. Pat. No. 5,544,478) is respectfully traversed.

With respect to Claim 1, Claim 2 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim. Claim 2 has been canceled and independent Claim 1 has been rewritten in independent form including the limitations from Claim 2. Accordingly, Claim 1 is submitted to be patentable over Shu et al.

Claims 4, 7, 9, 10, 12, and 13 depend from independent Claim 1. When the recitations of Claims 4, 7, 9, 10, 12, and 13 are considered in combination with the recitations of Claim 1, Applicants submit that depend Claims 4, 7, 9, 10, 12, and 13 likewise are patentable over Shu et al.

With respect to Claim 15, Claim 18 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim. Claim 18 has been canceled and independent Claim 15 has been rewritten in independent form including the limitations from Claim 18. Accordingly, Claim 15 is submitted to be patentable over Shu et al.

Claims 19, 21, 23, and 24 depend from independent Claim 15. When the recitations of Claims 19, 21, 23, and 24 are considered in combination with the recitations of Claim 15, Applicants submit that depend Claims 19, 21, 23, and 24 likewise are patentable over Shu et al.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1, 4, 7, 9, 10, 12, 13, 15, 19, 21, 23, and 24 be withdrawn.

Claims 2, 3, 5, 6, 8, 11, 14, 16-18, 20, 22, and 25 were indicated as objected to but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 2 has been canceled and independent Claim 1 has been amended to include all of the limitations of Claim 2. Accordingly, Claim 1 is submitted to be in condition for allowance.

Claims 3, 5, 6, 8, 11, and 14 depend from independent Claim 1. When the recitations of Claims 3, 5, 6, 8, 11, 14 are considered in combination with the recitations of Claim 1, Applicants submit that depend Claims 3, 5, 6, 8, 11, 14 likewise are in condition for allowance.

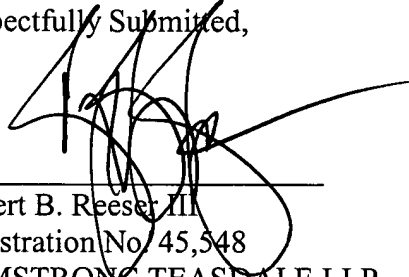
With respect to Claims 16-18, 20, 22, and 25, Claim 18 has been canceled and independent Claim 15 has been amended to include all of the limitations of Claim 18. Accordingly, Claim 15 is submitted to be in condition for allowance.

Claims 16, 17, 20, 22, and 25 depend from independent Claim 15. When the recitations of Claims 16-18, 20, 22, and 25 are considered in combination with the recitations of Claim 15,

Applicants submit that depend Claims 16-18, 20, 22, and 25 likewise are in condition for allowance.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Robert B. Reeser III', is written over a horizontal line. The signature is stylized with large, sweeping loops and a long horizontal stroke extending to the right.

Robert B. Reeser III
Registration No. 45,548
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070